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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RONALD RICHMAN,) No. C 07-5317 WHA
Plaintiff,)
v.)
UNITED STATES,)
Defendant.)

COUNTY OF CONTRA COSTA,) STIPULATION AND [PROPOSED]
Plaintiff,) ORDER EXTENDING DEADLINE FOR
v.) MEDIATION/ REFERRING CASE NO. 08-
UNITED STATES OF AMERICA,) 3499 TO MEDIATION
UNITED STATES DEPARTMENT OF)
AGRICULTURE ANIMAL & PLANT)
HEALTH INSPECTION SERVICE, PETER)
LACY, and DOES 1 through 5, inclusive,)
Defendants.)
No. C 08-3499 WHA

Whereas, Case No. 07-5317 was filed on October 18, 2007; and

Whereas, plaintiff in Case No. 07-5317 alleges defendant United States is liable for personal injuries that resulted from an automobile accident that occurred on October 24, 2005 that plaintiff alleges was negligently caused by an employee acting

¹ The undersigned Assistant United States Attorney appears in case No. 08-3499 only for the United States of America and no other defendant.

1 within the scope of his federal employment; and
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3 Whereas, on April 10, 2008, this Court referred case No. 07-5317 to the ADR Unit
4 for mediation; and

5 Whereas, the parties in Case No. 07-5317 stipulated to extend the original deadline
6 for mediating Case No. 07-5317 to September 8, 2008; and

7 Whereas, Case No. 08-3499 was filed on July 22, 2008; and

8 Whereas, in Case No. 08-3499 plaintiff County of Contra Costa alleges the United
9 States is liable to plaintiffs for property damage, reimbursement of workers'
10 compensation and other benefits paid by plaintiff as a result of the same October 24,
11 2005, automobile accident at issue in Case No. 07-5317; and

12 Whereas, on July 28, 2008, this Court found that Case No. 07-5317 and Case No.
13 08-3499 are related for purposes of Local Rule 3-12; and

14 Whereas no Alternative Dispute Resolution referral has yet been made in Case No.
15 08-3499;

16 Whereas on August 21, 2008, counsel for the United States, Ronald Richman and
17 Contra Costa County have engaged in negotiations with Court-appointed mediator Herb
18 Schwartz to complete certain discovery prior to October 23, 2008 and then to mediate this
19 case on October 30, 2008;

20 **It is therefore stipulated between Ronald Richman, County of Contra Costa
21 and the United States of America that they shall jointly request an Order from the
22 Court extending the deadline for mediating Case No. 07-5317 to October 30, 2008, and
23 referring Case No. 08-3499 to mediation with the same mediator so that both cases may**

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1 undergo alternative dispute resolution at the same time.
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3 **SO STIPULATED.**

4 DATED: August 21, 2008
 5

Brayton Purcell, LLP

6 By /s/
 7 William G. McDevitt, Esq. (Of Counsel)
 Attorneys for Ronald Richman

8 DATED: August 21, 2008
 9

Thomas, Lyding, Cartier & Gaus, LLP

10 By /s/
 11 Mark A. Cartier
 Attorneys for County of Contra Costa

12 DATED: August 21, 2008
 13

JOSEPH P. RUSSONIELLO
 United States Attorney

14 By /s/
 15 ABRAHAM A. SIMMONS
 Assistant United States Attorney
 16 Attorneys for United States of America
 17

18 **[PROPOSED] ORDER**

19 **PURSUANT TO STIPULATION IT IS SO ORDERED:**

20 Case No. 08-3499 is referred to mediation. The deadline for mediating both Case No.
 21 07-5317 and Case No. 08-3499 is October 30, 2008. All other deadlines in the case
 22 management scheduling orders of each case shall remain in effect.

24 August 26, 2008

25 Date

Hon. William H. Alsup
 26 United States District Court
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